

104TH CONGRESS
1ST SESSION

H. R. 1807

To provide means of limiting the exposure of children to violent programming on television, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 1995

Mr. MORAN (for himself, Mr. MARTINEZ, Mr. LAUGHLIN, Mr. MONTGOMERY, Mr. SPRATT, Mr. DEUTSCH, Mr. BEREUTER, Mr. LIPINSKI, Mr. MILLER of California, Mrs. COLLINS of Illinois, Mr. POMEROY, Mr. HILLIARD, Mr. UNDERWOOD, Mr. FALEOMAVAEGA, Mr. MENENDEZ, Ms. KAPTUR, Mrs. CLAYTON, Ms. SLAUGHTER, Ms. LOFGREN, Mr. JACOBS, Mr. HALL of Ohio, Mr. THORNTON, Mr. PAYNE of Virginia, Mr. MOLLOHAN, Mr. CLYBURN, Mr. FROST, and Mr. HEFNER) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To provide means of limiting the exposure of children to violent programming on television, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Children’s Media Pro-
5 tection Act of 1995”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) On average, a child in the United States is
2 exposed to 27 hours of television each week, and
3 some children are exposed to as much as 11 hours
4 of television each day.

5 (2) The average American child watches 8,000
6 murders and 100,000 acts of other violence on tele-
7 vision by the time the child completes elementary
8 school.

9 (3) By the age of 18 years, the average Amer-
10 ican teenager has watched 200,000 acts of violence
11 on television, including 40,000 murders.

12 (4) The Times Mirror Center reports that a re-
13 cent poll of Americans indicates that 72 percent of
14 the American people believe that there is too much
15 violence on television, and, according to a survey by
16 U.S. News and World Report dated May 1994, 91
17 percent of American voters believe that mayhem in
18 the media contributes to violence in real life.

19 (5) On several occasions since 1975, The Jour-
20 nal of the American Medical Association has alerted
21 the medical community to the adverse effects of tele-
22 vised violence on child development, including an in-
23 crease in the level of aggressive behavior and violent
24 behavior among children who view it.

1 (6) The National Commission on Children rec-
2 ommended in 1991 that producers of television pro-
3 grams exercise greater restraint in the content of
4 programming for children.

5 (7) A report of the Harry Frank Guggenheim
6 Foundation, dated May 1993, indicates that there is
7 an irrefutable connection between the amount of vio-
8 lence depicted in the television programs watched by
9 children and increased aggressive behavior among
10 children.

11 (8) It is in the national interest that parents be
12 empowered with the technology to block the viewing
13 of television programs that are clearly inappropriate
14 for children because of their sexual, violent, or inde-
15 cent content.

16 (9) Technology currently exists to permit the
17 manufacture of television receivers that are capable
18 of permitting parents to block such television pro-
19 grams.

20 **SEC. 3. ESTABLISHMENT OF TELEVISION RATING CODE.**

21 Section 303 of the Communications Act of 1934 (47
22 U.S.C. 303) is amended by adding at the end the follow-
23 ing:

24 “(v) Prescribe—

1 “(1) on the basis of recommendations from an
2 advisory committee established by the Commission
3 that is composed of television broadcasters, television
4 programming producers, cable operators, appro-
5 priate public interest groups, and other interested
6 individuals from the private sector and that is fairly
7 balanced in terms of the points of view represented
8 and the functions to be performed by the committee,
9 rules to identify and rate sexual, violent, and inde-
10 cent television programming that is clearly inappro-
11 priate for children, and

12 “(2) rules for the transmission by distributors
13 of television programming of signals that contain an
14 identification of the rating (pursuant to the rules
15 prescribed under paragraph (1)) of the programming
16 being distributed and that permit television viewers
17 to block sexual, violent, and indecent television pro-
18 gramming that is clearly inappropriate for chil-
19 dren.”.

20 **SEC. 4. REQUIREMENT FOR MANUFACTURE OF TELE-**
21 **VISIONS THAT BLOCK PROGRAMS.**

22 Section 303 of the Communications Act of 1934 (47
23 U.S.C. 303), as amended by section 3, is further amended
24 by adding at the end the following:

1 “(w) Require, in the case of apparatus designed to
2 receive television signals that are manufactured in the
3 United States or imported for use in the United States
4 and that have a picture screen 13 inches or greater in
5 size (measured diagonally), that such apparatus—

6 “(1) be equipped with circuitry designed to en-
7 able viewers to block the display of channels, pro-
8 grams, and time slots; and

9 “(2) enable viewers to block display of all pro-
10 grams with a common rating.”.

11 **SEC. 5. SHIPPING OR IMPORTING OF TELEVISIONS THAT**
12 **BLOCK PROGRAMS.**

13 (a) REGULATIONS.—Section 330 of the Communica-
14 tions Act of 1934 (47 U.S.C. 330) is amended—

15 (1) by redesignating subsection (c) as sub-
16 section (d); and

17 (2) by adding after subsection (b) the following
18 new subsection (c):

19 “(c)(1) Except as provided in paragraph (2), no per-
20 son shall ship in interstate commerce, manufacture, as-
21 semble, or import from any foreign country into the
22 United States any apparatus described in section 303(w)
23 of this Act except in accordance with rules prescribed by
24 the Commission pursuant to the authority granted by that
25 section.

1 “(2) This subsection shall not apply to carriers trans-
 2 porting apparatus referred to in paragraph (1) without
 3 trading it.

4 “(3) The rules prescribed by the Commission under
 5 this subsection shall provide performance standards for
 6 blocking technology. Such rules shall require that all such
 7 apparatus be able to receive the rating signals which have
 8 been transmitted by way of line 21 of the vertical blanking
 9 interval and which conform to the signal and blocking
 10 specifications established by the Commission.

11 “(4) As new video technology is developed, the Com-
 12 mission shall take such action as the Commission deter-
 13 mines appropriate to ensure that blocking service contin-
 14 ues to be available to consumers.”.

15 (b) CONFORMING AMENDMENT.—Section 330(d) of
 16 such Act, as redesignated by subsection (a)(1), is amended
 17 by striking “section 303(s), and section 303(u)” and in-
 18 serting in lieu thereof “and sections 303(s), 303(u), and
 19 303(w)”.

20 **SEC. 6. ELIMINATION OF TELEVISION PROGRAMMING THAT**
 21 **IS INAPPROPRIATE FOR CHILDREN DURING**
 22 **CERTAIN HOURS.**

23 Title I of the Children’s Television Act of 1990 (47
 24 U.S.C. 303a et seq.) is amended by adding at the end the
 25 following:

1 “PROHIBITION ON PROGRAMMING THAT IS
2 INAPPROPRIATE FOR CHILDREN

3 “SEC. 105. (a) The Commission shall, within 30 days
4 of the date of the enactment of this Act, initiate a rule-
5 making proceeding to prescribe a prohibition on the broad-
6 cast on commercial television and by public telecommuni-
7 cations entities, including the broadcast by cable opera-
8 tors, from the hours of 6 a.m. to 9 p.m., inclusive, of pro-
9 gramming that contains sexual, violent, and indecent tele-
10 vision programming that is clearly inappropriate for chil-
11 dren.

12 “(b) As used in this section:

13 “(1) The term ‘cable operator’ has the meaning
14 given such term in section 602 of the Communica-
15 tions Act of 1934 (47 U.S.C. 522).

16 “(2) The term ‘programming’ includes adver-
17 tisements but does not include bona fide newscasts,
18 bona fide news interviews, bona fide news documen-
19 taries, and on-the-spot coverage of bona fide news
20 events.

21 “(3) The term ‘public telecommunications en-
22 tity’ has the meaning given such term in section
23 397(12) of the Communications Act of 1934 (47
24 U.S.C. 397(12)).”.

1 **SEC. 7. BROADCAST ON TELEVISION AND CABLE OF EDU-**
2 **CATIONAL AND INFORMATIONAL PROGRAM-**
3 **MING FOR CHILDREN.**

4 (a) BROADCAST TELEVISION.—Section 309 of the
5 Communications Act of 1934 (47 U.S.C. 309) is amended
6 by adding at the end the following:

7 “(k) EDUCATIONAL AND INFORMATION PROGRAM-
8 MING FOR CHILDREN.—In granting an application for a
9 license for a television broadcasting station (including an
10 application for renewal of such a license), the Commission
11 shall impose such conditions upon the applicant as the
12 Commission requires in order to ensure that the applicant
13 complies under the license with the standards for chil-
14 dren’s television programming established under section
15 102 of the Children’s Television Act of 1990 (47 U.S.C.
16 303a) and otherwise serves the educational and informa-
17 tional needs of children through its overall program-
18 ming.”.

19 (b) CABLE SERVICE.—Part III of title VI of the
20 Communications Act of 1934 (47 U.S.C. 541 et seq.) is
21 amended by adding at the end the following:

22 **“SEC. 629. EDUCATIONAL AND INFORMATION PROGRAM-**
23 **MING FOR CHILDREN**

24 “SEC. 629. A franchise, including the renewal of a
25 franchise, may not be awarded under this part unless the
26 cable operator to be awarded the franchise agrees to com-

1 ply with the standards for children's television program-
2 ming established under section 102 of the Children's Tele-
3 vision Act of 1990 (47 U.S.C. 303a) and to otherwise
4 serve the educational and informational needs of children
5 in the provision of cable service under the franchise.'".

